

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Donald C. Cullen**  
**aka Donald Cramer Cullen**  
Debtor(s)

Bankruptcy Case No.: 18-24262-CMB

Chapter: 13  
Docket No.: 43 - 42  
Concil. Conf.: April 16, 2020 at 09:00 AM

**ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **February 28, 2020**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

**OR**

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **March 16, 2020**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **April 16, 2020 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: January 14, 2020

cm: All Creditors and Parties In Interest

Carlota M. Bohm  
United States Bankruptcy Judge

**INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee  
P.O. Box 84051  
Chicago, IL 60689-4002

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Donald C. Cullen  
Debtor

Case No. 18-24262-CMB  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dsaw  
Form ID: 410

Page 1 of 1  
Total Noticed: 8

Date Rcvd: Jan 14, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 16, 2020.

db  
14941585 Donald C. Cullen, 268F Schultz Road, Acme, PA 15610  
Bayview Loan Servicing, LLC, PO Box 650091, Dallas, TX 75265-0091

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
cr +E-mail/PDF: resurgentbknofications@resurgent.com Jan 15 2020 03:05:38 LVNV Funding LLC,  
c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

14941584 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Jan 15 2020 03:08:23  
Bayview Loan Servicing, LLC, Attn: Customer Service, 4425 Ponce de Leon Blvd., 5th Floor,  
Miami, FL 33146-1837

14967734 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Jan 15 2020 03:08:23  
Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd, 5th Floor,  
Coral Gables, FL 33146-1837

14959266 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:04:44  
Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083

14941586 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:06:11  
Capital One Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285

14949167 E-mail/PDF: resurgentbknofications@resurgent.com Jan 15 2020 03:06:25  
LVNV Funding, LLC its successors and assigns as, assignee of General Electric Capital,  
Corporation, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
TOTAL: 6

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Bayview Loan Servicing, LLC, a Delaware Limited Li

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 16, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 14, 2020 at the address(es) listed below:

Anthony M. Moody on behalf of Debtor Donald C. Cullen amoody@moodylawoffices.com,  
moodyar81455@notify.bestcase.com

James Warmbrodt on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited  
Liability Company bkgroup@kmlawgroup.com

Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 4